

Pursuant to the last paragraph of the opinion of the Circuit Court of Appeals quoted above, the plaintiffs have taken steps in the District Court to revive the second actions which now are pending on the calendar in the District Court. In these second actions there stands undetermined, awaiting decision by this Court on the instant petition for certiorari, precisely the same jurisdictional question raised in the original actions and which the Circuit Court of Appeals anticipated would be raised in the second actions when it refused to regard that question as moot upon the record before it (R. 182).

Dated: New York, N. Y., July 15, 1948.

Respectfully submitted,

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